

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-WESTERN DIVISION

15 HERBERT O. ALLEN,) CV 07-102-R (SH)
16 Plaintiff,) ORDER ACCEPTING REPORT AND
17 v.) RECOMMENDATION OF UNITED
18 COUNTY OF LOS ANGELES,) STATES MAGISTRATE JUDGE
19 et al.,)
20 Defendants.)

21 Pursuant to 28 U.S.C. Section 636(b)(1)(C), the Court has reviewed the
22 Second Amended Complaint and other papers along with the Report and
23 Recommendation of the United States Magistrate Judge, and has made a de novo
24 determination of any matters in Report and Recommendation as to which objections
25 have been raised.

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1 THE Court (1) accepts the Report and Recommendation, (2) grants
2 Defendant King's Motion to Strike as to Plaintiff's Third Cause of Action; (3)
3 denies Defendant's Motion to Strike as to Plaintiff's First and Fourth Causes of
4 Action; and (4) granting Defendant King's Motion to Dismiss as to Plaintiff's
5 Second Cause of Action; and (5) dismissing the Second Amended Complaint, and
6 the action without leave to amend.

7 DATED: March 12, 2009

Read

**MANUEL L. REAL
UNITED STATES DISTRICT JUDGE**